UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,162	01/26/2004	Naoyuki Nagao	1713.1010	6723

21171   7590   03/18/2008

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
MIRZADEGAN, SAEED S

ART UNIT	PAPER NUMBER
2144	

MAIL DATE	DELIVERY MODE
03/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/763,162	NAGAO, NAOYUKI
	Examiner	Art Unit
	SAEED S. MIRZADEGAN	2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2007*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-14,16-22,24-30 and 32* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-7,9-14,16-22,24-30 and 32* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *12 December 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some *   c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to Applicant's amendment filed 12/12/2007.

2.   Claims 1-7, 9-14, 16-22, 24-30, and 32 are pending.

3.   Applicant's Amendments with respect to Specification and Drawings have been

fully considered and are persuasive. The Objections to the Specifications and the

Drawings have been withdrawn.

4.   Applicant's amendment with respect to 35 U.S.C. 112, 2nd rejection of claim 15

has been fully considered and is persuasive. The 35 U.S.C. 112, 2nd rejection of claim

15 has been withdrawn.

5.   Applicant's amendments with respect to 35 U.S.C. 112, 2nd rejection of claims 1-

7, 9-14, 16-18, 20-22, 24-30, and 32 have been fully considered and are persuasive.

The 35 U.S.C. 112, 2nd rejection of claims 1-7, 9-14, 16-18, 20-22, 24-30, and 32 have

been withdrawn.

6.   Applicant's arguments with respect to claims 1-7, 9-14, 16-22, 24-30, and 32

have been fully considered but are moot in view of the following ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the

subject matter which the applicant regards as his invention

7.   **Claim 19** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

8.   **Claim 19** recite the limitation "the method as claimed in claim 17, further

comprising, after activation of the method" in lines 1-2 of claim 19. It is not clear to the

Examiner what does after activation of the method means. This limitation renders the

claim indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness

under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
        obviousness or nonobviousness.

9.   **Claims 1, 5, 7-11, 13, 17, 18, 21, 25, 26, 29** are rejected under 35 U.S.C. 103(a)

as being unpatentable over Applicants Admitted Prior Art (hereafter "AAPA") in view of

Nagaraj (US Pat. No. 6947415) hereafter "Nagaraj" and further in view of North et al.

(US Pat. No. 6505245) hereafter "North".

10.   Regarding **Claim 1**, AAPA discloses, a console switch that selectively connects a

terminal to a hardware port of an information processing device that has a plurality of

hardware ports connected through a network **(see e.g. Fig 1 & background)**, the

console switch comprising: a first unit that obtains information from the terminal, the

information specifying the hardware port of the information processing device to be

connected, establishes a connection path between the terminal and the hardware port

of the information processing device **(see e.g. Fig 2)**. However AAPA does not explicitly

teach a second unit that refers to a predetermined database in accordance with the

information obtained by the first unit, an examining unit that examines whether

transmission and reception data generated between the terminal and the hardware port

of the information processing device are to be accumulated as logs; and a memory unit

that stores transmission and reception data generated between the terminal and the

port of the information processing device.

11.   In the same field of endeavor, Nagaraj teaches **(see e.g. Abstract lines 3-6 &**

Fig 2, 240) a routing table that is maintained by **(see e.g. Abstract lines 3-6 & Fig 2,**

260) a processing unit, which is the functional equivalent of second unit claimed in claim

1 above.

12.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Nagaraj's teaching of routine table

which is maintained by a routing processing unit with the teachings of AAPA, for the

purpose of **(see Nagaraj, Col. 1, Lines 34-37)** increasing the speed of a routing switch

while decreasing the internal complexity of the component communications. AAPA

provides motivation to do so, by connecting the terminal to different servers to be able

to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 &**

Page 5, lines 7-8).

13.   In the same field of endeavor, North teaches an examining unit that examines

whether transmission and reception data generated between the terminal and the

hardware port of the information processing device are to be accumulated as logs **(see**

e.g. Fig. 3, Col. 7, lines 6-16), North further teaches the memory subsystem capable

of storing logs of all accesses and actions performed on the computing devices in the

allocated space 124 **(see e.g. Fig. 5, 124 & abstract lines 9-10)**. .

14.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine North's teaching as discussed

above with the teachings of AAPA & Nagaraj, for the purpose of **(see North, Col. 2,**

Lines 31-35) to enable a system administrator to manage disparate manageable

devices form a single location. AAPA provides motivation to do so, by connecting the

terminal to different servers to be able to TELNET to them **(see applicant background**

of invention, Page 4, Line 31-32 & Page 5, lines 7-8).

15.   Regarding **Claim 5**, AAPA-Nagaraj-North disclose the invention substantially as

claimed. AAPA further discloses a notification message, which shows when a

connection to the terminal has been established which is the functional equivalent of the

fifth element **(see e.g. Fig 6 & background)**.

16.   Regarding **Claim 7**, AAPA-Nagaraj-North disclose the invention substantially as

claimed. However AAPA-Nagaraj do not explicitly teach the predetermined database is

managed as a text file.

17.   In the same field of endeavor, North teaches the information maintained in the

memory of the devices, is kept as text string **(see e.g. Col. 2, lines 57-61)**.

18.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine North's teaching of memory

maintaining the information in a text form with the teachings of AAPA & Nagaraj, for the

purpose of **(see North, Col. 2, Lines 31-35)** to enable a system administrator to

manage disparate manageable devices form a single location. AAPA provides

motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

19.   Regarding **Claim 9,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj do not explicitly teach the memory unit stores messages to be outputted on to a screen of the terminal.

20.   In the same field of endeavor, North teaches the memory subsystem capable of storing logs of all accesses and actions performed on the computing devices to be outputted onto a screen of the terminal **(see e.g. Fig. 5, 124 & abstract lines 9-10)**.

21.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine North's teaching as discussed above with the teachings of AAPA & Nagaraj, for the purpose of **(see North, Col. 2, Lines 31-35)** to enable a system administrator to manage disparate manageable devices form a single location. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

22.   Regarding **Claim 10,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj do not explicitly teach the memory unit stores data outputted from the hardware port of the information processing device.

23.   In the same field of endeavor, North teaches the memory subsystem capable of storing logs of all accesses and actions performed on the computing devices to be outputted onto a screen of the terminal **(see e.g. Fig. 5, 124 & abstract lines 9-10)**.

24.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine North's teaching as discussed above with the teachings of AAPA & Nagaraj, for the purpose of **(see North, Col. 2, Lines 31-35)** to enable a system administrator to manage disparate manageable devices form a single location. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

25.   Regarding **Claim 11,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj do not explicitly teach the memory unit stores the transmission and reception data in association with one of a date, a terminal path, user information, and a server connection path.

26.   In the same field of endeavor, North teaches the memory subsystem capable of

storing logs of all accesses and actions performed on the computing devices to be

outputted onto a screen of the terminal **(see e.g. Fig. 5, 124 & abstract lines 9-10)**.

27.   Regarding **Claim 13**, AAPA discloses, a system **(see e.g. Fig 1 & background)**

comprising: a terminal **(see e.g. Fig. 1, 701)**; an information processing device that has

a plurality of hardware ports **(see e.g. Fig.1, 710),** a console switch that selectively

connects a terminal to a port of an information processing device that has a plurality of

ports connected through a network **(see e.g. Fig.1, 100)**, the console switch comprising:

a first unit that obtains information from the terminal, the information specifying the port

of the information processing device to be connected, and establishes a connection

path between the terminal and the hardware port of the information processing device

(see e.g. Fig 2). However AAPA does not explicitly teach a second unit that refers to a

predetermined database in accordance with the port information obtained by the first

unit; an examining unit that examines whether transmission and reception data

generated between the terminal and the hardware port of the information processing

device are to be accumulated as logs; and a memory unit that stores transmission and

reception data generated between the terminal and the port of the information

processing device.

28.   In the same field of endeavor, Nagaraj teaches a routing table **(Abstract lines 3-6 & Fig 2, 240)** that is maintained by a processing unit, which is the functional equivalent of second unit claimed in claim 13 above **(Abstract lines 3-6 & Fig 2, 260)**.

29.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Nagaraj's teaching of routine table which is maintained by a routing processing unit with the teachings of AAPA, for the purpose of **(see Nagaraj, Col. 1, Lines 34-37)** increasing the speed of a routing switch while decreasing the internal complexity of the component communications. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

30.   In the same field of endeavor, North teaches an examining unit that examines whether transmission and reception data generated between the terminal and the hardware port of the information processing device are to be accumulated as logs **(see e.g. Fig. 3, Col. 7, lines 6-16),** North further teaches the memory subsystem capable of storing logs of all accesses and actions performed on the computing devices in the allocated space 124 **(see e.g. Fig. 5, 124 & abstract lines 9-10)**. .

31.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine North's teaching as discussed

above with the teachings of AAPA & Nagaraj, for the purpose of **(see North, Col. 2, Lines 31-35)** to enable a system administrator to manage disparate manageable devices form a single location. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

32.   **Claim 17** list all the same elements of claim 1, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 17.

33.   **Claim 18** list all the same elements of claim 2, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 2 applies equally as well to claim 18.

34.   **Claim 21** list all the same elements of claim 5, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 5 applies equally as well to claim 21.

35.   **Claim 25** list all the same elements of claim 1, but in computer program product form rather than system form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 25.

36.   **Claim 26** list all the same elements of claim 2, but in computer program product

form rather than system form. Therefore, the supporting rationale of the rejection to

claim 2 applies equally as well to claim 26.

37.   **Claim 29** list all the same elements of claim 5, but in computer program product

form rather than system form. Therefore, the supporting rationale of the rejection to

claim 5 applies equally as well to claim 29.

Claim Rejections - 35 USC § 103

38.   **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA-

Nagaraj-North as applied to Claims 1 above and further in view of Gallagher et al. (US

PG Pub. No. 2003/0002492) hereafter "Gallagher".

39.   Regarding **Claim 2,** AAPA-Nagaraj-North disclose the invention substantially as

claimed. However AAPA-Nagaraj-North do not explicitly teach a third unit that

automatically connects to each hardware port of the information processing device after

activation of the console switch.

40.   In the same field of endeavor, Gallagher teaches a switch is a device capable of

providing on demand, anything-to-anything connections between attached devices. A

switch typically provides a number of ports to which external devices may attach. The

switch provides the ability to dynamically connect any port to any other port, thereby

enabling any attached device to communicate with any other attached device. Switches may be used to accomplish direct connections between devices, or switches may be combined in cascaded or chained topologies in order to increase the total number of ports within the network, or to increase the allowable physical distance between connected devices, which is the functional equivalent of the third unit **(see e.g. Page 1, ¶0003, lines 4-15)**.

41. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Gallagher's teaching of a switches ability to provide connectivity between ports of devices connected to it with the teachings of AAPA-Nagaraj-North, for the purpose of **(see Gallagher, Page 2, ¶0008, lines 3-6)** to enable enabling a switch to provide to a requesting device sufficient information for the requesting device to determine the specific ports for which the requesting device should update its local port configuration data. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

Claim Rejections - 35 USC § 103

42. **Claims 3, 4, 6, 12, 14, 16, 19, 20, 22, 24, 27, 28, 30, 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA-Nagaraj-North, as applied to claims 1,

13, 17, 25 above and further in view of Duvvury (US Pat. No. 6917626) hereafter

"Duvvury".

43.   Regarding **Claim 3,** AAPA-Nagaraj-North disclose the invention substantially as

claimed. However AAPA-Nagaraj-North do not explicitly teach a fourth unit that, after

activation of the console switch, obtains the MAC address and the IP address of the

information processing device, associate the MAC address and the IP address of the

information processing device with the information, and stores the MAC address and

the IP address associated with the information in the predetermined database.

44.   In the same field of endeavor, Duvvury teaches learning the MAC address and

storing it in the memory **(see e.g. Col. 4, lines 11-15 & Fig. 2B)**, poll devices on the

network for specific information **(see e.g. Col. 9, lines 6-8)**.

45.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Duvvury's teaching of learning

specific information from devices on the network as such as MAC address and storing it

in memory with the teachings of AAPA-Nagaraj-North, for the purpose of **(see Duvvury,**

Col. 6, Lines 46-50) to allow management of all the network devices in a cluster using a

single IP address. AAPA provides motivation to do so, by connecting the terminal to

different servers to be able to TELNET to them **(see applicant background of**

invention, Page 4, Line 31-32 & Page 5, lines 7-8).

46.   Regarding **Claim 4,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj-North do not explicitly teach when a connection path has not yet been established between the terminal and the hardware port of the information processing device corresponding to the information obtained by the first unit, the second unit detects the IP address from the MAC address of the information processing device corresponding to the obtained information.

47.   In the same field of endeavor, Duvvury teaches learning the MAC address and storing it in the memory **(see e.g. Col. 4, lines 11-15 & Fig. 2B)**, poll devices on the network for specific information **(see e.g. Col. 9, lines 6-8)**.

48.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Duvvury's teaching of obtaining specific information from devices on the network such as MAC address with the teachings of AAPA-Nagaraj-North, for the purpose of **(see Duvvury, Col. 6, Lines 46-50)** to allow management of all the network devices in a cluster using a single IP address. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

49.   Regarding **Claim 6,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj-North do not explicitly teach the information includes

a port number allocated to the hardware port of the information processing device, or a

port name allocated to the hardware port of the information processing device.

50.   In the same field of endeavor, Duvvury teaches poll devices on the network for

specific information **(see e.g. Col. 9, lines 6-8)**.

51.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Duvvury's teaching of polling the

devices for specific information with the teachings of AAPA-Nagaraj-North, for the

purpose of **(see Duvvury, Col. 6, Lines 46-50)** to allow management of all the network

devices in a cluster using a single IP address. AAPA provides motivation to do so, by

connecting the terminal to different servers to be able to TELNET to them **(see**

applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8).

52.   Regarding **Claim 12**, the same limitation is addressed in claim 3 above. The

same grounds of rejection apply to claim 12 as was applied to claim 3. The tuning

button manually performs the same task as was performed in claim 3. Having two

identical devices connected to the network allows for the multiple manual tuning

buttons.

53.   Regarding **Claim 14,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj-North do not explicitly teach the information processing device is cascade-connected.

54.   In the same field of endeavor, Duvvury teaches two cascaded console switches **(see e.g. Col. 5, lines 45-46 & 50-51 & Fig. 4)**.

55.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Duvvury's teaching of cascading console switches with the teachings of AAPA-Nagaraj-North, for the purpose of **(see Duvvury, Col. 6, Lines 46-50)** to allow management of all the network devices in a cluster using a single IP address. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

56.   Regarding **Claim 16,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj-North do not teach a system comprising: a first console switch; and a second console switch that is connected to the first console switch through a network.

57.   In the same field of endeavor, Duvvury teaches two cascaded console switches **(see e.g. Col. 5, lines 45-46 & 50-51 & Fig. 4)**.

58.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Duvvury's teaching of cascading console switches with the teachings of AAPA-Nagaraj-North, for the purpose of **(see Duvvury, Col. 6, Lines 46-50)** to allow management of all the network devices in a cluster using a single IP address. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

59.   **Claim 19** list all the same elements of claim 3, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 3 applies equally as well to claim 19.

60.   **Claim 20** list all the same elements of claim 4, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 4 applies equally as well to claim 20.

61.   **Claim 22** list all the same elements of claim 6, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 6 applies equally as well to claim 22.

62.   **Claim 24** list all the same elements of claim 3, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 3 applies equally as well to claim 24.

63.   **Claim 27** list all the same elements of claim 3, but in computer program product form rather than system form. Therefore, the supporting rationale of the rejection to claim 3 applies equally as well to claim 27.

64.   **Claim 28** list all the same elements of claim 3, but in computer program product form rather than system form. Therefore, the supporting rationale of the rejection to claim 3 applies equally as well to claim 28.

65.   **Claim 30** list all the same elements of claim 6, but in computer program product form rather than system form. Therefore, the supporting rationale of the rejection to claim 6 applies equally as well to claim 30.

66.   **Claim 32** list all the same elements of claim 3, but in computer program product form rather than system form. Therefore, the supporting rationale of the rejection to claim 3 applies equally as well to claim 32.

Response to Arguments

67.   Applicant's arguments filed on 12/12/2007 have been carefully considered but they are not deemed fully persuasive. However, because there exists the likelihood of future presentation of these arguments, the Examiner thinks that it is prudent to address applicant's main point of contention. Applicant argues that :

A.   None of the cited references disclose or suggests the features of Claim 1 of the present application, as amended, which recites: a console switch having an examining unit that examines whether transmission and reception data generated between the terminal and the hardware port of the information processing device are to be accumulated as logs, and a memory unit that stores the transmission and reception data when the transmission and reception data are to be accumulated as logs. Therefore claim 1 and all claims from which they depend, are patentably distinguished.

B.   Independent Claims 13, 16-17 and 25 as amended recite similar features to those of claim 1 and are not disclosed or suggested by the cited references. Therefore claims 13, 16-17 and 25 and claims from which they depend, are patentably distinguished.

68.   As to point A, the Examiner's position is that there does lay support within AAPA

in view of Nagaraj and further in view of North for the following reasons.

Regarding **Claim 1**, AAPA discloses, a console switch that selectively connects a

terminal to a hardware port of an information processing device that has a plurality of

hardware ports connected through a network **(see e.g. Fig 1 & background)**, the

console switch comprising: a first unit that obtains information from the terminal, the

information specifying the hardware port of the information processing device to be

connected, establishes a connection path between the terminal and the hardware port

of the information processing device **(see e.g. Fig 2)**. However AAPA does not explicitly

teach a second unit that refers to a predetermined database in accordance with the

information obtained by the first unit, an examining unit that examines whether

transmission and reception data generated between the terminal and the hardware port

of the information processing device are to be accumulated as logs; and a memory unit

that stores transmission and reception data generated between the terminal and the

port of the information processing device.

In the same field of endeavor, Nagaraj teaches **(see e.g. Abstract lines 3-6 & Fig 2,**

240) a routing table that is maintained by **(see e.g. Abstract lines 3-6 & Fig 2, 260)** a

processing unit, which is the functional equivalent of second unit claimed in claim 1

above.

It would have been obvious to one of ordinary skill in the networking art at the time the

applicant's invention was made to combine Nagaraj's teaching of routine table which is

maintained by a routing processing unit with the teachings of AAPA, for the purpose of

(see Nagaraj, Col. 1, Lines 34-37) increasing the speed of a routing switch while

decreasing the internal complexity of the component communications. AAPA provides

motivation to do so, by connecting the terminal to different servers to be able to

TELNET to them **(see applicant background of invention, Page 4, Line 31-32 &**

Page 5, lines 7-8).

In the same field of endeavor, North teaches an examining unit that examines whether

transmission and reception data generated between the terminal and the hardware port

of the information processing device are to be accumulated as logs **(see e.g. Fig. 3,**

Col. 7, lines 6-16), North further teaches the memory subsystem capable of storing

logs of all accesses and actions performed on the computing devices in the allocated

space 124 **(see e.g. Fig. 5, 124 & abstract lines 9-10)**. .

It would have been obvious to one of ordinary skill in the networking art at the time the

applicant's invention was made to combine North's teaching as discussed above with

the teachings of AAPA & Nagaraj, for the purpose of **(see North, Col. 2, Lines 31-35)**

to enable a system administrator to manage disparate manageable devices form a

single location. AAPA provides motivation to do so, by connecting the terminal to

different servers to be able to TELNET to them **(see applicant background of**

invention, Page 4, Line 31-32 & Page 5, lines 7-8).

Thus it is the Examiners position that the 35 USC 103 rejection of Claim 1 and all

Claims from which they depend are proper.

69.   As to point B, the Examiner's position is that the similar features of Claim 1 in

Claims 13, 16-17 and 25 have been addressed and accounted for as follows.

Regarding **Claim 13**, AAPA discloses, a system **(see e.g. Fig 1 & background)**

comprising: a terminal **(see e.g. Fig. 1, 701)**; an information processing device that has

a plurality of hardware ports **(see e.g. Fig.1, 710)**, a console switch that selectively

connects a terminal to a port of an information processing device that has a plurality of

ports connected through a network **(see e.g. Fig.1, 100)**, the console switch comprising:

a first unit that obtains information from the terminal, the information specifying the port

of the information processing device to be connected, and establishes a connection

path between the terminal and the hardware port of the information processing device

(see e.g. Fig 2). However AAPA does not explicitly teach a second unit that refers to a

predetermined database in accordance with the port information obtained by the first

unit; an examining unit that examines whether transmission and reception data

generated between the terminal and the hardware port of the information processing

device are to be accumulated as logs; and a memory unit that stores transmission and

reception data generated between the terminal and the port of the information

processing device.

In the same field of endeavor, Nagaraj teaches a routing table **(Abstract lines 3-6 &**

Fig 2, 240) that is maintained by a processing unit, which is the functional equivalent of

second unit claimed in claim 13 above **(Abstract lines 3-6 & Fig 2, 260)**.

It would have been obvious to one of ordinary skill in the networking art at the time the

applicant's invention was made to combine Nagaraj's teaching of routine table which is

maintained by a routing processing unit with the teachings of AAPA, for the purpose of

(see Nagaraj, Col. 1, Lines 34-37) increasing the speed of a routing switch while

decreasing the internal complexity of the component communications. AAPA provides

motivation to do so, by connecting the terminal to different servers to be able to

TELNET to them **(see applicant background of invention, Page 4, Line 31-32 &**

Page 5, lines 7-8).

In the same field of endeavor, North teaches an examining unit that examines whether

transmission and reception data generated between the terminal and the hardware port

of the information processing device are to be accumulated as logs **(see e.g. Fig. 3,**

Col. 7, lines 6-16), North further teaches the memory subsystem capable of storing

logs of all accesses and actions performed on the computing devices in the allocated

space 124 **(see e.g. Fig. 5, 124 & abstract lines 9-10)**. .

It would have been obvious to one of ordinary skill in the networking art at the time the

applicant's invention was made to combine North's teaching as discussed above with

the teachings of AAPA & Nagaraj, for the purpose of **(see North, Col. 2, Lines 31-35)**

to enable a system administrator to manage disparate manageable devices form a

single location. AAPA provides motivation to do so, by connecting the terminal to

different servers to be able to TELNET to them **(see applicant background of**

invention, Page 4, Line 31-32 & Page 5, lines 7-8).

Regarding **Claim 16,** AAPA-Nagaraj-North disclose the invention substantially as claimed. However AAPA-Nagaraj-North do not teach a system comprising: a first console switch; and a second console switch that is connected to the first console switch through a network.

In the same field of endeavor, Duvvury teaches two cascaded console switches **(see e.g. Col. 5, lines 45-46 & 50-51 & Fig. 4)**.

It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Duvvury's teaching of cascading console switches with the teachings of AAPA-Nagaraj-North, for the purpose of **(see Duvvury, Col. 6, Lines 46-50)** to allow management of all the network devices in a cluster using a single IP address. AAPA provides motivation to do so, by connecting the terminal to different servers to be able to TELNET to them **(see applicant background of invention, Page 4, Line 31-32 & Page 5, lines 7-8)**.

Claim 17 list all the same elements of claim 1, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 17.

Claim 25 list all the same elements of claim 1, but in computer program product form rather than system form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 25.

Thus it is the Examiners position that the 35 USC 103 rejection of Claims 13, 16-17 and

25 and all Claims from which they depend is proper.

The prior art of record

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of

relevant prior art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAEED S. MIRZADEGAN whose telephone number is (571)270-3044. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. S. M./
Examiner, Art Unit 2144

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144